

Form PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (Rev. 01-2003)		ATTORNEY'S DOCKET NUMBER AM100877
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/511064</b>
INTERNATIONAL APPLICATION NO. PCT/US03/11240	INTERNATIONAL FILING DATE 10 April 2003	PRIORITY DATE CLAIMED 12 April 2002
TITLE OF INVENTION ESTROGEN RECEPTOR ALPHA REGULATED GENE EXPRESSION, RELATED ASSAYS AND THERAPEUTICS		
APPLICANT(S) FOR DO/EO/US Scott Alan JELINKSY, ET AL.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li><input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</li> <li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> has been communicated by the International Bureau.</li> <li><input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto.</li> <li><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).             <ol style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) will follow.</li> <li><input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 35 U.S.C. 371(c)(5)).</li> </ol>		
Items 11 to 20 below concern document(s) or information included		
<ol style="list-style-type: none"> <li><input type="checkbox"/> An Information Disclosure Statement under 37CFR 1.97 and 1.98.</li> <li><input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 35 CFR 3.28 and 3.31 is included.</li> <li><input type="checkbox"/> A preliminary amendment.</li> <li><input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li><input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 – 1.825.</li> <li><input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li><input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li><input type="checkbox"/> Other items or information:</li> </ol>		
CERTIFICATION UNDER 37 CFR §1.10		
I hereby certify that this paper and the documents referred to as enclosed therein are being deposited with the United States Postal Service on the date written below in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV100498756US addressed to the Mail Stop PCT, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.		
Date <u>10/12/04</u>	 Ilene M. Hurwitz	

U.S. APPLICATION NO. (If Known, See 37 CFR 1.5) <b>107511064</b>		INTERNATIONAL APPLICATION NO. PCT/US03/11240		ATTORNEY'S DOCKET NUMBER AM100877	
21. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492(A) (1) – (5)):</b>				CALCULATIONS	
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.		\$1,110.00			
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.		\$950.00			
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.		\$790.00			
International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims did not satisfy provisions of PCT Article 33(1)-(4).		\$750.00			
International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4).		\$100.00			
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>\$ 950.00</b>	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	83 - 20 =	63	x \$18.00	1134.00	
Independent claims	6 - 3 =	3	x \$88.00	264.00	
<b>MULTIPLE DEPENDENT CLAIM(S) (if applicable)</b>				\$300.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				0.00	
<b>SUBTOTAL =</b>				<b>\$ 2648.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				0.00	
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 2648.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 + per property.					
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 0.00</b>	
				Amount to be refunded:	
				charged: 2648.00	
<p>a. <input type="checkbox"/> A check in the amount of \$ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 01-1425 in the amount of \$2648.00 to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 01-1425. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p>					
<p><b>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</b></p>					
<p>SEND ALL CORRESPONDENCE TO:</p> <p>Wyeth</p> <p>Patent Law Department</p> <p>Five Giralda Farms</p> <p>Madison, NJ 07940</p> <p>Tel. No. (973) 660-7648</p> <p>Customer Number 25291</p>					
 <b>SIGNATURE</b>					
<u>Joseph M. Mazzarese</u> <b>NAME</b>					
<u>32,803</u> <b>REGISTRATION NUMBER</b>					

Express Mail Label No. EV100498756US

10/511064

October 12, 2004

Mail Stop PCT  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Re: National Stage of PCT Application No. PCT/US03/11240  
Filed: April 10, 2003  
Inventor(s): Scott Alan JELINSKY, ET AL.  
Our Ref: AM100877

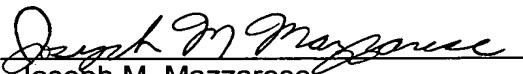
Sir:

We enclose the following papers for entering the national stage in the USPTO for the above-captioned PCT application:

Application Data Sheet  
Transmittal Letter (2)  
Post Card

Correspondence Address: Customer Number: 25291

Respectfully submitted,

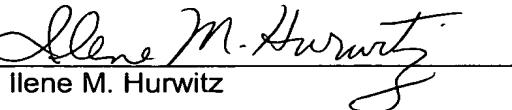
By:   
Joseph M. Mazzarese  
Attorney for Applicants  
Reg. No. 32,803

Wyeth  
Patent Law Department  
Five Giralda Farms  
Madison, NJ 07940  
Tel. No. (973) 660-7648

**CERTIFICATE OF MAILING 37 CFR §1.10**

I hereby certify that this paper and the documents referred to as enclosed therein are being deposited with the United States Postal Service on the date written below in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV100498756 US addressed to the Mail Stop PCT, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

10/12/04  
Date

  
Ilene M. Hurwitz